srp.

HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2818 OF 2007.

The Union of India & Others. ..Petitioners.

Versus.

Venkarai S. Raghavan. ..Respondent.

Y. S. Bhatt for the petitioners.

CORAM: S. B. MHASE &
S. R. SATHE,JJ.

DATE: JULY 2, 2007.

P.C.

1. Heard. The respondent is a retired person covered under the C.G.H.S Scheme. He suffered heart attack. Therefore, he was admitted in Lilawati Hospital. It is not the hospital approved by the Central government under the aforesaid scheme. The respondent has incurred the expenditure of Rs.74,445/-. The petitioner on the basis of their rates which are admissible to the Central Government health scheme in respect of the approved hospitals has calculated the expenditure and sanctioned Rs. 49,252/-. Therefore, the respondent approached to the Central Administrative Tribunal. So far as the illness of the respondent is concerned, there is no dispute that he suffered a stroke. It is also admitted that the approved hospital was not nereaby at the relevant time and therefore the respondent immediately rushed to the Lilawati hospital. The fact remains that the emergency has not been

challenged. Therefore, under these circumstances when the person is entitled to be covered under the scheme the Government is under obligation to pay the expenses. Aboveall what is important to note is that the genuiness of the expenses is not disputed. Therefore, we refrain to entertain the petition. Petition is rejected.

(S.R.SATHE,J.) **(S.B.MHASE, J.)**